

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on March 21, 2017 at 7:00 p.m. at the Niverville Heritage Centre. In attendance were Mayor Myron Dyck, Deputy Mayor John Funk, Councillors Kevin Stott and Nathan Dueck. Absent – Chris Wiebe

- Res#84-17 J. Funk – K. Stott
Excuse BE IT RESOLVED that Councillor Chris Wiebe due to illness be excused from attending the March 21, 2017 council meeting.
“Carried”
- Res#85-17 K. Stott – N. Dueck
Agenda BE IT RESOLVED that the agenda be approved as presented.
“Carried”
- Res#86-17 N. Dueck – K. Stott
Minutes BE IT RESOLVED that the minutes of the regular Council meeting held on March 7, 2017 be approved as presented.
“Carried”
- Res#87-17 K. Stott – J. Funk
SRRCD WHEREAS Niverville has reviewed the Seine Rat River Conservation District’s (the “SRRCD”) office proposal to purchase a residential property at 154 Friesen Avenue in Steinbach, Manitoba for the purpose of establishing a conservation district office;
AND WHEREAS the SRRCD requests authority from Niverville to borrow up to \$210,000 for said purchase as it is over the current approved limit of \$50,000 set out in the SRRCD Provincial Order of Council;
AND WHEREAS the amount borrowed will be in the form of a mortgage solely to fund the purchase of the proposed office and the authority to borrow above the \$50,000 limit set by Order of Council will terminate when the mortgage amount is paid in full;
AND WHEREAS all member municipalities of the SRRCD will assume full responsibility for the mortgage in the event that the SRRCD ceases to exist before the mortgage is paid off subject to provisions of The Municipal Act and The Conservation District Act;
THEREFORE BE IT RESOLVED that Niverville approves the request by the SRRDC board to temporarily increase the SRRCD borrowing authority from \$50,000 to \$210,000 for the sole specific purpose of acquiring property at 154 Friesen Avenue in Steinbach for a permanent office facility.
“Carried”
- Res#88-17 J. Funk – N. Dueck
Plan of WHEREAS an amendment to the Niverville Zoning By-law was approved in
Subdivision December 2016 to rezone part of Lot 1, Plan 47174, being a portion of land known as a 9 hole golf course from R1 single family residential property to OS open space to ensure these golf course lands developed by Sunset Estates would continue to remain as a green recreational space for Highland residents;
AND WHEREAS a request for subdivision of the lands zoned R1 on Lot 1 has been made by Sunset Estates Ltd which is in keeping with the Town’s development plan and zoning by-law;
THEREFORE BE IT RESOLVED that Council approves the subdivision request by Sunset Estates Ltd. of approximately 77.08 acres, being the southern balance

of a proposed undeveloped golf course lands zoned R1, from the Old Drovers Run Golf course property, being Lot 1, Plan 47174.

“Carried”

A Public Hearing was held at 7:05 p.m. regarding Conditional Use C4-17, an application by Christopher Ewen of Capo Di Grande to allow for the service of alcohol within a C2 zoned restaurant establishment in accordance with LGA regulations. Opening hours were requested to be:

Monday – Saturday 6 a.m. to 1 a.m. and

Sunday from 9 a.m. to 5 p.m.

In accordance with the Planning Act, the conditional use applicant had been duly advertised. One letter of objection had been received from a Niverville citizen, copy of which had been provided to Council members.

Res#89-17
C4-17

K. Stott – N. Dueck

WHEREAS a Public Hearing was held regarding Conditional Use Application C4-17, an application submitted by Christopher Ewen of Capo Di Grande, to obtain a dining license through LGA, for the purpose of serving alcohol in a restaurant establishment at 290 Main Street;

AND WHEREAS the application was duly advertised with one letter opposed to the proposal received;

AND WHEREAS Council deems it expedient and in the interest of the Town’s business sector to provide a variety of restaurant options for the community to enjoy;

THEREFORE BE IT RESOLVED that Conditional use Application C4-17, a request from Capo Di Grande to obtain a dining license in accordance with LGA regulations is approved for a restaurant located at 290 Main Street;

AND BE IT FURTHER RESOLVED those hours of operation for the licensed dining facility are Monday through Saturday from 6 a.m. to 1 a.m. and Sunday from 9 a.m. to 5 p.m.

“Carried”

Res#90-17
Building
Expansion

N. Dueck – K. Stott

BE IT RESOLVED that Niverville award the contract for an addition to the Operations Building at 309 Main Street to the preferred proponent, being Armada Construction of Niverville whom according to the quality-based selection criteria completed under RFP 2017-01 received the highest score at a contract price of \$79,892.50 (including applicable taxes).

“Carried”

Res#91-17
6th Avenue
Phase 1
Rebuild

J. Funk – N. Dueck

WHEREAS Council, recognizing the long term intention of 6th Avenue South serve as a main arterial road serving the SE sector of the community, is of the Rebuild opinion that a limestone based road bed though more expensive by 10% percent, will provide based on industry standards a long term net benefit to the community;

AND WHEREAS it is Council’s intention over two years to rebuild the base and driving surface of 6th Avenue South from Main Street to Crown Valley Road permitting the next council in 2019 the opportunity to decide when the driving surface should be asphalted;

AND WHEREAS the first phase has been duly tendered;

THEREFORE BE IT RESOLVED that Council award the contract for Phase 1 rebuilding of 6th Avenue South to the preferred proponent for Option#2, Southwood Ventures of Grunthal whom according to the quality-based selection

criteria done under RFP 2017-04 received the highest score at a contract price of \$253,064.79 (including applicable taxes).

“Carried”

Res#92-17 K. Stott – J. Funk
Culvert BE IT RESOLVED that council authorize the installation of a culvert and catch basin for 2nd Ave North immediately north of Main Street and
BE IT FURTHER RESOLVED that the Operations Manager and CAO be authorized to negotiate a cost sharing agreement with owner or her representative of 61 Main Street.

“Carried”

Res#93-17 J. Funk – K. Stott
Sprinkler WHEREAS in most buildings in which a potable water system sprinkler system Systems has been installed, the installation by-passes the building’s water meter thereby ensures adequate water volume;
AND WHEREAS there is a requirement to provide a reasonable fee for services provided by the Town’s water utility;
THEREFORE BE IT RESOLVED Council approves the adoption of an annual fee as established by the Manitoba Public Utilities Board of \$50 per annum charge for water usage by buildings having an active fire suppression sprinkler system and connected to the Town’s potable water system.
AND BE IT FURTHER RESOVLED that the Operations Water Utility conducts annual inspections of each building having a fire suppression sprinkler system.

“Carried”

Res#94-17 K. Stott – N. Dueck
Fair WHEREAS the Niverville Olde Tyme Country Fair will be holding two beer gardens during the 2017 Fair, being on Friday, June 9th and Saturday, June 10th; THEREFORE BE IT RESOLVED that Council approves the following operating hours for Niverville Olde Tyme Country Fair beer gardens:

- June 9th – 8:00 p.m. to 12 midnight
- June 10th – 4 p.m. to 1:00 a.m.

“Carried”

Res#95-17 N. Dueck – K. Stott
MWSB WHEREAS the quality of Town of Niverville’s (the “Town”) water source has become an issue due to fine sediment within the water damaging the filtering system thereby negatively impacting processing functions of the Town’s water treatment plant;
AND WHEREAS the Town is in need of technical and financial assistance to permanently resolve this water quality challenge;
AND WHEREAS the Manitoba Water Services Board (the “MWSB) is a technical expert partner in implementing an improved well-field and distribution systems;
AND WHEREAS a preliminary cost has been provided by MWSB to construct an approved well-field and to install a water source pipeline to the Town’s Spruce Drive Water Treatment Plant;
THEREFORE BE IT RESOLVED that MWSB is respectfully requested to consider entering into a cost-sharing Agreement with the Town as a partner in the construction of a new well-field and pipeline for the Town to a maximum total project value of \$2.5 million;
AND BE IT FURTHER RESOLVED that the Town intends to pay for these necessary water infrastructure improvements through withdrawals from various

reserve accounts including Water, Gas Tax, and General reserves and will subject to an approved borrowing by-law, finance the project with future Community Development Initiative revenues that will result in no requirement for the creation of a Local Improvement District levied against personal property for financing purposes.

“Carried”

Res#96-17 J. Funk – K. Stott
Planning BE IT RESOLVED that members of Council and the CAO be authorize to attend the 2017 Manitoba Planning Conference in Winnipeg on May 10 through May 12, 2017.

“Carried”

Res#97-17 K. Stott – N. Dueck
LWFG BE IT RESOLVED that Councillor John Funk is authorized to attend the Lake Winnipeg Fund grant announcement event on March 22, 2017 in Winnipeg.

“Carried”

Res#98-17 J. Funk – K. Stott
Accounts BE IT RESOLVED that cheques nos. 34814 to 34852 totalling \$108,396.92 be hereby approved for payment.

“Carried”

Res#99-17 N. Dueck – J. Funk
DP-ZB WHEREAS Council in accordance with the Planning Act passed resolution No. 117-16 to initiate a review of the Development Plan and Zoning By-law and to prepare an RRP to hire a consultant to assist with the review;
AND WHEREAS the Community Planning Assistance Program offered by Manitoba is available to financially assist with hiring qualified planning consultants to prepare the land use by-laws and policies;
THEREFORE BE IT RESOLVED that Niverville Council apply to Community Planning Assistance Program to share up to 50% of the cost of hiring a consultant to complete the Development Plan and Zoning By-law review.

“Carried”

Res#100-17 K. Stott – J. Funk
2017 WHEREAS Niverville has adopted an aggressive program for the replacement of Sidewalks sidewalks along Main Street, sidewalks that were constructed in 1985, to address safety and maintenance challenges;
THEREFORE BE IT RESOLVED that Council award the 2017 contract for Main Street Sidewalk Renewal to the firm submitting the lowest bid, being Armada Construction of Niverville for a contract price of \$78,607.20 including taxes.

“Carried”

Res#101-17 N. Dueck – J. Funk
Functional WHEREAS the Town of Niverville’s Main Street, being Provincial Road #311 is Design the main artery for traffic in, around and thru Niverville (the “Town”);
AND WHEREAS the Town for its long term transportation planning requires an access management plan for Main Street to address traffic flow opportunities for current and future community development;
AND WHEREAS provincial funding is available to cost share equally in securing a professional engineering firm to complete a comprehensive Functional Design Study of Main Street;

AND WHEREAS an open request for proposals was held to solicit bids from parties interested in preparing a Functional Design Study of Main Street from Wallace Road to the Town's eastern boundary along Provincial Road 311; AND WHEREAS in consultation with Manitoba Infrastructure ("MI"), an engineering firm has been identified that meets the objectives for an comprehensive Functional Design Study;

THEREFORE BE IT RESOLVED that subject to confirmation of funding support from MI that the Town awards the contract for the Functional Design Study to the highest scoring quality-based proposal to CH2M, of Winnipeg, at a cost of \$85,000 (includes a Town/MI agreed upon contingency of 20 percent);

AND BE IT FURTHER RESOLVED that Niverville respectfully requests MI for an equal funding grant Agreement to complete this Functional Design Study for Niverville's Main Street.

"Carried"

Res#102-17 J. Funk – N. Dueck

Camera BE IT RESOLVED that in accordance with Section 152(3) of the Municipal Act, that committee meet in camera.

"Carried"

Res#103-17 K. Stott – J. Funk

Resume BE IT RESOLVED that the meeting of the committee held in camera be adjourned;

AND BE IT FURTHER RESOLVED that the Council while in camera discussed matters in the preliminary stages respecting long term plans for the development of the community.

"Carried"

Res#104-17 N. Dueck – K. Stott

NBP WHEREAS Niverville Council has held extensive consultations with various organizations and business leaders regarding the approach for the development of the Niverville Business Park (NBP) that would best serve the varied interest of the community;

AND WHEREAS there appears to be interest within the private business sector to take leadership in purchasing, developing and marketing a NBP (Phase 1);

AND WHEREAS Council deems it expedient and in the public's best interest to provide opportunity to the private sector to build on the work already begun by the Town on the NBP;

THEREFORE BE IT RESOLVED that Council authorize the issuing of an Request for Proposal (RFP) for the sale, development and marketing of Phase 1 of the Niverville Business Park;

AND BE IT FURTHER RESOLVED that recognizing the work already completed by the Town, the communication that staff have with interested parties in the NBP, and the need to have lots on the market by the summer of 2017, that the RFP have a quick return date of April 13, 2017.

"Carried"

Res#105-17 N. Dueck – C. Wiebe

Adjourn BE IT RESOLVED that the meeting be adjourned. (9:30 p.m.)

“Carried”

Mayor

Town Manager